

Meeting: Port Botany Neighbourhood Liaison Group – Meeting No. 22

Held: Tuesday 27 August 2013, 5.30pm-7.00pm

Present:

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| Shane Hobday (SH) – NSW Ports, Chair | Jackie Roberts (JR) – EPA Representative |
| Adem Long (AL) – NSW Ports | James Goodwin (JG) – EPA Representative |
| Alison Wedgwood (AW) – NSW Ports | Paul Matthews (PMA) – Patricks Stevedores |
| Daniela Vujic (DV) – NSW Ports | Richard Pollock (RP) – Patrick Stevedores |
| John Burgess (JB) – Community | Geoff Millard (GM) – Terminals Pty Ltd |
| Lynda Newnam (LN) – Community | Andrew Hogg (AH) – Terminals Pty Ltd |
| Kellie Parkin (KP) – Community | Aldo Costabile (AC) – Elgas Limited |
| Ross Salter (RS) – Community Business Representative (Kingsford Timber Mitre 10) | Lisa Williams (LW) – Electorate Offices for Member for Maroubra |
| Karen Armstrong (KA) – Randwick Council | Pamela Meers (PMe) – Caltex |
| Janice Dennay (JD) – Randwick Council | Shelly de Courcy Lys (SC) – Sydney Buses |
| Sandra Spate (SSp) – Minutetaker | |

Apologies: Steven Poulton – City of Botany Bay Council, Cliff Bell – Caltex

| Item | Description | Action/Responsibility |
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| 1 | Apologies and Introductions Apologies are as above. PMe noted some NLG members hadn't received email notification of the meeting. SH explained some issues are still being dealt with regarding data bases moving from SPC to NSW Ports. | |
| 2 | Accept minutes of last meeting The minutes from the May meeting with members' amendments incorporated were accepted. | |
| 3 | Actions arising from previous minutes SH to talk to Botany Bay Council (SP) regarding the feasibility of including a bike path in the design for the footpath. SH reported that discussions are ongoing with Council regarding restructure of the intersection of Foreshore, Penrhyn and Botany Roads to incorporate parking on the golf course side and a footpath. Questions arose at the last meeting around incorporation of a cycle path. Information has been provided to Council who are investigating the amount of room available on the golf course side for a footpath. LN asked what consultation has taken place as residents in the area are unaware of the proposal. SH replied that this is a matter for Botany Council. It is a Council initiative with a development fund to fund part, and it will also be part funded by RMS, Sydney Ports and NSW Ports. There is a rough design at this stage but it has not gone to tender. | |
| | SH to inform the NLG as to the public availability of documentation regarding the 99 lease. SH reported this is an issue for NSW Treasury and suggested interested NLG members approach NSW Treasury. | |

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| | <p>SH to provide the NLG with photos of the physical modelling for Foreshore Beach.</p> <p>SH provided photos to the group and reported that physical modelling suggested little difference between the affect of two or three groynes so there will likely be two groynes placed to combat beach erosion.</p> <p>JB asked whether negotiations with Sydney Water were taking place to run pipes underneath. SH confirmed that they were and also noted that part of the process is a flood study.</p> | |
| | <p>EPA to provide feedback to the NLG on the ANSTO air monitoring results provided by Botany Bay Council.</p> <p>JG will take this on notice and provide feedback. The action remains open.</p> | <p>Action: JG to provide feedback at next meeting.</p> |
| | <p>Charles Abela (CA) to send the map of the Anzac South Urban Activation Precinct to SH. The action remains open.</p> | <p>Action: CA to send map.</p> |
| | <p>SH to respond to whether Sydney Ports have made a submission to the NSW 2021 Plan.</p> <p>SH and DV reported that Sydney Ports did not make a formal submission</p> | |
| 4 | <p>Development Activities in the Port</p> <ul style="list-style-type: none"> - NSW Ports Development (Port Botany Expansion, BLB2, Enfield) - Tenant Developments <p>SH noted there is a new State Environmental Planning Policy (SEPP) from May 31st arising from the refinancing of Port Botany and Port Kembla.</p> <p>DV reported on the Port SEPP for the port and surrounding hinterlands as part of the future development and management of the port precinct. DV outlined some of the key changes to the planning regime as part of the gazettal of the new Port SEPP. Under the previous Major Development SEPP, the trigger for state significant development was \$30 million. The new Port SEPP reconsidered the trigger value for state significant developments, increasing the development value trigger from \$30 million to \$100 million for port developments. Port developments less than \$100 million are subject to the normal development application process and over that triggers the State Significant process. The new Port SEPP also introduced further exempt and complying provisions to allow minor developments such as utilities, pavement repairs, carparks etc to proceed without the need to obtain a development approval. Such developments would still need to comply with applicable standards.</p> <p>LN asked whether there is a dollar cap on exempt development.</p> <p>DV replied there is not. It is what is in the SEPP. Exempt and complying provisions that were previously in the Infrastructure SEPP for port facilities have now been carried over into the new Port SEPP with some further additions.</p> <p>LN asked whether Randwick Council is happy with the changes.</p> <p>KA noted Council did make a submission which can be provided to NLG members. Council is happy with the increased threshold but had some concerns with the development types included as exempt development.</p> | <p>Action: DV to provide the link to the Port SEPP to the group.</p> |
| | <p>SICTL</p> <p>SH reported SICTL ship to shore cranes have arrived which are different from Patricks and DP world incorporating a shuttle boom rather than the normal raised boom designed to be below the Airport's Obstacle</p> | |

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| | <p>Limitation Surfaces (OLS). Operation is scheduled for early October 2013. Operational Environmental Management Plans (OEMP) have to be assessed by the Department of Planning prior to operation. A noise wall is under construction at the back of site. The intention is to commence operations on the northern berth first.</p> <p>KP asked why assessments of the lights on the top of the SICTL ship to shore cranes are occurring now not beforehand. AW replied that environmental assessments were undertaken when the project was first proposed. The OEMPs detail how impacts identified in the assessments will be managed onsite and include procedures, controls and details of management measures. KP asked whether the OEMP is available to the public. SH replied the links to the relevant tenant web pages which will provide the final CEMPS when they are finalised are on the NSW Ports website.</p> <p>LN noted residents have raised issues with light spill. SH reported that NSW Ports has talked to residents and offered a visit to their homes to assess impacts of the red clearance lights on the top of the cranes. SICTL has turned some crane lighting off and are in discussions with Air Services Australia as to what else can be turned off. Feedback from residents is that they are happy to have the strobe lights turned off. KP asked why there was unnecessary lighting in the first place. Why does it take complaints from residents to have these issues addressed? SH replied that ship to shore quay cranes are bought off the production line and these lights are standard equipment provided by the manufacturer in China. Feedback is needed from the community. Lighting requirements are Air Services Australia standards, and there are discussions with them on the number of lights required on the cranes as they are only fractionally above the OLS. KP raised concerns with equipment coming into Port with no suitable checks on light and noise impacts and whether their equipment matches Australian standards. KP and LN think it unacceptable that lighting and noise issues aren't addressed unless there are complaints from the community. LN noted the issue of monitoring light spills was raised at the 2004/05 Commission of Enquiry. The government at the time overruled the recommendations from the Commission of Enquiry. KA asked whether the lights on cranes go off at 11pm with the curfew. SH replied that cargo planes land and take off all night and any structure in potential flight paths which breach the OLS have flashing lights. SICTL cranes are at the level of the OLS and Patricks and DP World cranes are above and have red flashing lights. DV notes sometimes there are minimum standards for lighting rather than a maximum lux level and therefore it is helpful to get feedback from the community. KP suggested residents aren't being approached for feedback.</p> | |
| | <p><u>Patrick</u></p> <p>SH reported that the contract has been awarded for the Patrick's development on 18 ha knuckle of the expansion area. RP reported that the Construction Environmental Management Plan (CEMP) for the 18ha knuckle has been approved and current work is mostly underground with stabilisation works and storm water works. Patrick is finalising approval with the DP&I for works for modifications on the existing terminal. Relevant documents are available on the DP&I website. Consultation has occurred with the community and agencies</p> | |

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| | <p>and Patrick has received draft conditions. When approved Patrick will modify the existing control building and other buildings. Delivery of automatic straddle cranes is expected early next year.</p> <p>RP outlined the CEMP as a framework to meet the EIS and Ministers Conditions of Approval. Sub Plans include:</p> <ul style="list-style-type: none"> - Soil and Water Quality Management Plan - Dust and Air Quality Management Plan - Noise and Vibration Management Plan - Waste and Spoil Management Plan - Acid Sulphate Soils Management Plan - Traffic Management Plan – Haulage. - Emergency Response Management Plan. <p>Construction vehicle access will be via existing access. There will be no truck movements on Botany Rd.</p> <p>Notifications regarding the date and timing of works and their duration will be distributed if necessary and include a description of works and mitigation measures.</p> <p>KP asked how much impact restrictions have on productivity and speed of delivering construction.</p> <p>RP responded that Patrick is aware of the need to adhere to conditions and organises work around that. Deliveries in peak times are restricted to reduce impacts on Foreshore Road. There is a greater impact at this location than others, but the timing is managed.</p> <p>SH noted Conditions of Approval consider combined traffic movements of SICTL and Patrick.</p> <p>KP asked how information is delivered to the community.</p> <p>RP replied through meetings such as these, the website and newsletters to local residents. All information is on the Patrick website.</p> <p>PMA reported notifications regarding the expansion site are sent to all residences within 1km of the terminal. Residents in that area have been letterboxed along with notices in the Southern Courier and community meetings.</p> <p>SH reported monthly coordination meetings are held with NSW Ports, SICTL and Patrick to monitor compliance with Conditions of Approval.</p> <p>LN asked whether an EPA Environment Protection Licence (EPL) will apply to Patrick.</p> <p>SH replied Patrick has an EPA licence.</p> <p>JG and JR noted EPA is responsible for monitoring air and water quality, waste management and sediment control. Licensees are prohibited pollution of waterways.</p> <p>LN asked how does the EPA have conversations with Patrick and when is there a presence on site.</p> <p>RP replied that Patrick engages with EPA through the Conditions of Approval and Management Plans. They can visit the site whenever they consider it is needed.</p> <p>JG reported they visit site whenever there is a particular issue or it is deemed necessary.</p> <p>LN suggested the public doesn't see this from the EPA. The community is looking for a heightened response.</p> | |
| | <p>BLB2 NSW Ports works are finished and tenants (Terminals and Vopak) have commenced installing pipelines on the berth with works completion expected in November 2013.</p> | |
| | <p>Enfield ILC</p> | |

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| <p>NSW Ports is in the final stages of works before handing over to Hutchison as the main leaseholder at the end of October. . It should be fully operational in the second quarter of 2014 with shuttle trains to Port Botany to increase movement of freight by rail. The Government target of 28% requires facilities such as Enfield.</p> <p>JB asked whether this will still use commuter lines. SH replied there is a dedicated freight line to Enfield. LN asked whether the 300,000 cap will stand. SH replied this is the figure in the Development Approval. KP asked how many train movements would be required to meet the government target. AL replied it would be approximately double the current number of around 10 a day based on current trade volumes. SH suggested most noise is related to shunting, braking and impact of wagons. It is the intention to bring shorter trains down without breaking them in the Port area making it more efficient and reducing impacts. KP asked about train horns sounding. SH replied that the replacement of the level crossing at Banksia Street with the overhead pedestrian bridge should have eliminated the need for trains to sound the horn here. AL noted they sound the horn at each terminal gate and there are gate alarms.</p> <p>LN suggested the main noise issues would be at Enfield. Has there been feedback at the Enfield meetings? SH responded the community at Enfield has been kept informed. Community meetings have been held since 2010 and have been active in ensuring compliance with the consent conditions. There are sound barriers at one end of site and generally more separation exists between the site and residents than at Port Botany. AL noted there is also an existing Rail Corp yard within Enfield. JB suggested the level crossing at General Holmes Drive needs addressing. AL replied that he is aware of plans to investigate options such as an underpass but it is not for NSW Ports to address.</p> | <p>Action: AL to investigate and respond to the issue of train horns sounding.</p> |
| <p><u>Terminals Pty Ltd</u></p> <p>GM distributed a presentation on the Stage 5B Project. Terminals' operates bulk liquid storage facilities and has operated at Port Botany since 1978 with 74 tanks currently at Port Botany. Terminals' has applied to the DP&I for an additional 12 tanks for combustible liquids in the non flammable Simblist Road section of the site. It is a low risk venture, with low vapour pressure and no air emissions. It will use existing infrastructure on site with no new dock lines to berthing facilities. It will connect to stage 3, then to the road tanker area. There will be another bay added to the existing two and relocation of the exit gate to accommodate the turning curve for B Doubles.</p> <p>It will use bottom load automated systems with valves opening on an as needs basis.</p> <p>The 12 new tanks will take over existing business from Vopak's given the company's decision to close its chemical storage facility. As it will be taking some of Vopak's existing business, there will be no extra shipping at the berth or trucks on the roads.</p> <p>PMe asked whether blending would be conducted on site. GM replied there will be no blending or processing. LN asked who would do a cumulative impacts study. GM replied there will be no new traffic movements. There will be 6 to 8</p> | |

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| | <p>trucks per day. The development application will be submitted to the Department of Planning and will meet Director General's requirements with air, noise, and water impact assessments and traffic management plan as well as compliance with NSW Ports' development code. Hazard and risk assessments fulfil the DP&I Preliminary Hazard Analysis and follow HIPAP guidelines. A Hazard and Operability study will be undertaken in one month and a Fire Safety Study will be undertaken. LN asked about risks to adjacent sites such as Qenos. GM replied there are no consequences beyond the Terminal boundary. LN asked whether there have been changes to the risk contour. SH replied the contour hasn't changed. In 1996 it was modelled on projected development of all sites and based on a largest development practical being three bulk liquids berths. RS asked whether the numbers have been re-run and suggested computer modelling is now better. Does it include transport? SH replied the methodology is the same. It was a cumulative land use study by the Department of Planning including all bulk liquid berths. The Port Botany Land Use Study did include contours for transport on the routes leading out of the Port. DV noted that DP&I issued new guidelines in 2011 regarding assessment of developments under SEPP 33. The cumulative impact that was undertaken for the Port Botany Land Use Safety Study hasn't changed. RS asked whether the Preliminary Hazard Assessment looked at transport. He suggested a number of studies look at individual developments but not the cumulative impact. SH suggested in the Botany Randwick study of 2001 the Ports study provided base information that Port holds the concentration of bulk liquids. RS asked whether Ports supplied comments on the proposed waste reception facility near the Botany Industrial Park. SH replied that Sydney Ports made a submission on the Director-General Requirements. JB asked whether Vopak would use its chemical storage site for other uses post its shutdown. SH replied that no decision has been made. Vopak will close its chemical site at the end of the year. AC asked about timing for the Terminals development. GM replied they are trying to fast track it, looking at 6 to 12 months.</p> | |
| | <p><u>Elgas</u> AC reported on the Elgas to Qenos pipeline project. There is a proposal for a new pipeline to connect Elgas's LPG Cavern terminal to the Qenos terminal. Qenos will receive LPG (back up feedstock for the Qenos and Orica Botany site) from Elgas and two tanks (propane and butane) on Qenos will be removed (tank removal will be the subject of a separate development approval). Elgas will use its current storage. To keep Charlotte Road open the pipeline will be bored under Charlotte Road and then use the existing pipeline corridor along Charlotte Road and under Friendship Road. There will be no valves outside Qenos or Elgas sites. It could be undertaken as a complying development approval but will have to go through a Part 4 development application process as there are no private certifiers qualified as yet to approve the development. Benefits are that two tanks will be removed and as Qenos requirements increase all LPG can be unloaded from the ship at a faster rate to Elgas storage than to the Qenos tanks. KP asked why that route has been chosen instead of a straight line. AC replied this is the friendliest option using an existing pipeline corridor.</p> | |

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| | <p>LN asked whether a Part 4 development application is a more costly option. AC replied that it was. SH replied that the plan was for the DP&I to have private certifiers in place to approve complying developments but they are not yet ready. DV noted this will delay the approval process by months instead of a process that should have taken a matter of weeks.</p> | |
| | <p><u>Sydney Buses</u> SC reported the depot is in the process of replacing the roof in the maintenance area. The number of buses at the depot has increased by 20 to 270 with more LNG buses (now 179). The complement of buses has changed across the various depots, but there will be an increase over all depots in the number of buses. Port Botany will be stable. Services in the area have been reorganised with less dead running. LN asked whether the depot is compatible with Port traffic. SC replied that Port traffic has had little impact. LN asked whether NSW Ports has surveyed tenant employees to assess whether there has been an increase in bus users. AL and DV noted Sydney Ports (and now NSW Ports) have advocated for increased bus services and public transport to Port Botany, including raising this matter as part of NSW Ports' submission on the draft Metropolitan Strategy. KA noted the Airport Master Plan which has come out is talking about additional services. LN suggested tenants need to be consulted to assess the potential number of customers from tenants.*</p> | <p>*Action: Request by LN after the meeting to carry this item over for further discussion at the next meeting</p> |
| <p>5</p> | <p>Update on Noise Issues SH reported a significant increase in noise complaints over the past three months related to operations such as ship generators, containers banging, and beepers. He suggested this may be affected by wind directions at this time of the year from the west towards Matraville. The Amcor building may be reflecting noise for some Matraville residents by channelling it up a valley from the Port. Some tenants have undertaken noise measurements but there are no results available yet. JD reported a Qube noise assessment as part of a section 96 application but this hasn't been submitted to Council pending clarification of who the consent authority will be. Council undertook some early morning noise assessments at Qube. Some residents report a big change with quackers replacing beepers. KP reported that she has seen no change in noise impacts for her or her neighbours. It was noted that at the previous meeting the EPA had reported the development of a combined noise abatement strategy. LN noted that nothing seems to have progressed in the three months since. JG reported a noise logger has been placed at a residence and the EPA aims to provide noise monitoring results in a meaningful way to the community. JG reported that a meeting has been scheduled with the EPA to discuss the noise abatement strategy. LN and KP asked how close is the announcement that the Noise Abatement Strategy is in a development phase. Leadership on this is required from the EPA. The same conversation is occurring now as at the previous meeting. LN indicated she thought the EPA doesn't take the issue of noise seriously. She receives daily feedback from residents and is here on their behalf. JG noted the EPA is the regulatory authority for licensed operators with Patricks licensed, DP World applying and Hutchison will be.</p> | |

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| | <p>KP asked how terminals can operate without a licence? How are noise levels managed?</p> <p>DV replied predictions of noise levels are part of planning approvals and these need to be complied with. The EPA can get involved with licensed facilities, if not licensed Council can intervene. The port precinct falls within two local council areas.</p> <p>KA noted that Randwick Council has advocated for a noise study for the whole port area and it sounds as though there is agreement on this from the EPA, NSW Ports and the councils. Feedback is needed from EPA and NSW Ports as to where this process goes now.</p> <p>AW reiterated that a meeting with the EPA and Randwick Council is planned for next week and NSW Ports is keen to be notified of the outcomes of that meeting.</p> <p>JD reported that residents are not receiving feedback from noise complaints.</p> <p>SH said NSW Ports is working through its response procedures regarding responses to the Sydney Ports hotline number. It is important to realise that NSW Ports and Sydney Ports are two separate organisations now. He noted 23 noise complaints have been received by NSW Ports since the last meeting.</p> <p>KP suggested there has been a poor response to complaints for some time.</p> <p>LN requested the NLG be kept informed about the partnership for a noise strategy.</p> | |
| <p>6</p> | <p>Safety and Environmental Incidents</p> <p>Regarding the incident at Caltex at 1.27am on July 17, PM reported the emergency event involved a major spill of unleaded petrol from a tank at the company's Banksmeadow terminal into the bunded area. It was fully contained but vapour emissions triggered a shut down of the whole terminal and some local industry and roads in consultation with emergency services. The fact that there were no major injuries was a good outcome. The Fire Brigade covered the product with a foam blanket then Hazmat turned off the valve. Caltex apologises for the disruption. The agency debrief provided positive feedback regarding the response to the incident. Caltex has responded to Workcover notices and continues an internal investigation.</p> <p>JB suggested the emergency response was well coordinated, but the timing allowed access by emergency services. If it had been 5pm there wouldn't have been the same outcome.</p> <p>SH reported access closures extended to 9am, with a Transport Management Centre representative on site and message boards throughout Sydney notifying that Port Botany was closed. Trucks and employees didn't come to the location.</p> <p>LN reported feedback from residents at the Botany Industrial Park Community Consultative Committee was that communication with residents was not good. People were up and wondering what was happening. She suggested that hazard preparedness and emergency event management is an ongoing issue for the region.</p> <p>KP said there is an expectation that the community should know immediately. Regarding the recent flare at Qenos, people were enquiring at 9.00am on Facebook what was happening and by 9.30 EPA had emailed her but residents heard nothing from Caltex.</p> <p>SH noted that there was no requirement to evacuate residents, but this is a police matter. Police have Facebook. This is good feedback from the meeting and NSW Ports will take it on notice to improve messaging systems.</p> | |

